

## ORANGE COUNTY DEPARTMENT OF LAW



Steven M. Neuhaus  
County Executive

### Municipal Law Division

TEL: 845-291-3150  
FAX: 845-378-2374\*

Kellie E. Lagitch *Chief Assistant – Litigation*  
Matthew J. Nothnagle *Chief Assistant – Appeals*  
Susan L. Whalan *Chief Assistant – Contracts*  
Joseph F. Mahoney Donna M. Badura  
William S. Badura Lia E. Fierro  
Marina V. O'Neill Lisa M. James  
Stephanie T. Midler Lisa M. Morgillo  
Cedric A. Cooper Dante D. De Leo

**RICHARD B. GOLDEN**

Application denied.

SO ORDERED.

  
Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
August 13, 2025

Kimberly C. VanHaaster *Chief Assistant – Family Div.*  
Peter R. Schwarz David S. Meffert  
Linda P. DaSilva Stephanie Bazile  
Ferol L. Reed-McDermott Michael Rabiet  
Karen A. Amundson Tammy A. Delile  
Eve I. Lincoln Rebecca McGee  
Stephen Toole

August 12, 2025

### VIA ELECTRONIC FILING

Hon. Philip M. Halpern, U.S.D.J.  
Southern District of New York  
Federal Building and Courthouse  
300 Quarropas Street, Room 530  
White Plains, New York 10601

Re: **Ordenez-Vargas v. Orange County et al., Case No. 25-cv-00064 (PMH)**

Dear Judge Halpern:

I represent Defendant Orange County (the “County”) in the above-referenced matter. Plaintiff amended the complaint in response to deficiencies raised in the County’s pre-motion conference letter (Doc. No. 16). By letter dated February 25, 2025, Plaintiff sought an extension of time to amend the complaint and set forth the specific reasons for such amendment, which did not include adding a new plaintiff (*see* Doc. No. 17). However, the First Amended Complaint (Doc. No. 28) (the “FAC”) did add a new plaintiff. Such addition was done without leave of the Court. *See* Fed. R. Civ. P. 21. I defer to the Court as to whether that was proper.

Based on representations from Plaintiff’s counsel, Plaintiff has requested the issuance of an amended summons, as the new plaintiff must serve the County.<sup>1</sup> As such, to the extent the addition of the new plaintiff is permitted by this Court, the County respectfully requests that its time to answer or move to dismiss the FAC be extended until such time as all proper parties have been served, so as not to duplicate answers or motions, or to such other time as this Court deems proper.

<sup>1</sup> To date, it does not appear as if an amended summons has been issued with respect to the County.

The County's current deadline is August 20, 2025.<sup>2</sup> Plaintiff's counsel has consented to an extension of the County's deadline to respond to the FAC. The County previously joined in an extension request made by Defendant New York Correct Care Solutions Medical Services, P.C. (Doc. No. 27), which was denied (Doc. No. 28).

Thank you for Your Honor's consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. De Leo', with a stylized flourish at the end.

Dante D. De Leo

CC: All Counsel of Record (via ECF)

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<sup>2</sup> Defendants were given 21 days from the filing of the FAC to answer or move to dismiss (*see* Doc. No. 18). The FAC was not accepted for filing until July 30, 2025 (Doc. No. 28).